



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,417	12/07/2000	Chung-Seok Han	678-565 (P9615)	1514

7590 08/25/2003
Paul J. Farrell
Dilworth & Barrese, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

EXAMINER

LY, NGHI H

ART UNIT PAPER NUMBER

2686

DATE MAILED: 08/25/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,417

Applicant(s)

HAN, CHUNG-SEOK

Examiner

Nghi H. Ly

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's admitted prior art in view of Tiedemann et al (US 5,999,816).

Regarding claims 1, 5, 6, 8 and 10, the admitted prior art teaches a method of recovering a dropped call in a mobile station (see the Applicant's Background of The Invention, page 2 lines 1-5), comprising the steps of: determining whether two consecutive good frames have been received on a traffic channel that was disconnected in relation to the dropped call (see the Applicant's Background of The Invention, page 4 lines 2-7), searching an adjacent base station whose signal arrives at the mobile station with a greater received signal strength using a searcher (see the Applicant's Background of The Invention, page 4 lines 4-7), while the frame receipt is checked (also see the Applicant's Background of The Invention, page 4 lines 4-11), requesting a traffic channel at mobile station to the searched base station (see the Applicant's Background of The Invention, page 3 lines 8-17 and page 4 lines 4-11), assigning to the mobile station a traffic channel by the searched base station using a

Art Unit: 2686

physical channel used for data transmission (see the Applicant's Background of The Invention, page 2 lines 1-5 "traffic channel", "paging channel").

The Applicant's admitted prior art does not specifically disclose resuming the call on the traffic channel that is first available between one of the recovered traffic channel and the assigned traffic channel.

Tiedemann teaches resuming the call on the traffic channel that is first available between one of the recovered traffic channel and the assigned traffic channel (see column 17 lines 5-16 and see Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of Tiedemann into the system of the Applicant's admitted prior art so that when a handoff attempt is unsuccessful, the mobile station will be able to return to the original system (see Tiedemann, Abstract).

Regarding claim 2, the Applicant's admitted prior art further teaches the traffic channels are fundamental channels (see the Applicant's Background of The Invention, page 2 lines 1-5 "traffic channel").

Regarding claim 3, the Applicant's admitted prior art further teaches the physical channel for data transmission is a supplemental channel (see the Applicant's Background of The Invention, page 2 lines 1-5 "paging channel").

Regarding claims 4, 7 and 9, the Applicant's admitted prior art further teaches the physical channel for data transmission is a common control channel (see the Applicant's Background of The Invention, page 2 lines 1-5 "synch channel").

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Amin (US 5,995,830) teaches system and method for processing propped calls.

b. Smolik (US 6,381,455) teaches system and method for warning of and providing greater immunity from impending call drop in a digital wireless system.

c. Hellander (US 6,445,918) teaches method and system for saving dropped calls.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 09/732,417

Page 5

Art Unit: 2686

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703) ³⁰⁶~~305~~
~~3900~~: 0377.

Nghi H. Ly




CHARLES APPIAH
PRIMARY EXAMINER